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6 Counsel for Defendant NAVAREZ
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,	)	No. CR-09-0320 MHP
)	
12 Plaintiff,	)	STIPULATION AND PROPOSED
	)	ORDER CONTINUING SENTENCING
13 vs.	)	HEARING
)	
14 RENE NEVAREZ,	)	Current Sentencing Date: Nov. 16, 2009
	)	Time: 9:00 a.m.
15 Defendant.	)	Judge: Hon. Marilyn Hall Patel
)	
16	)	Proposed Sentencing Date: Nov. 23, 2009
	)	Time: 9:00 a.m.
17	)	Judge: Hon. Marilyn Hall Patel
18)	

19 The above-captioned case is currently scheduled for sentencing on Monday,
20 November 16, 2009 at 9:00 a.m. Undersigned counsel for Mr. Nevarez respectfully
21 requests that the Court reschedule the sentencing date to November 23, 2009 at 9:00 a.m.
22 Undersigned counsel for Mr. Nevarez is scheduled to attend a week-long training session
23 in New Mexico from November 16 through and including November 20.

24 This request is made in conformity with Criminal Local Rule 32-2(a). As of this
25 date, the probation officer has not yet filed the final presentence report. *See* Crim. L.R.
26 32-2(a). Counsel represents that good cause for the continuance has been established as

set forth above. *See id.* (a)(1). Counsel for Mr. Nevarez has conferred with counsel for the Government and the probation officer, both of whom have confirmed their availability for the proposed date. *See id.* (a)(2). On October 16, 2009, counsel for Mr. Nevarez conferred with the Courtroom Deputy Clerk and confirmed the Court's availability. *See id.* (a)(3). A proposed order is attached below. *See id.* (a)(4).

Counsel for Mr. Nevarez respectfully requests that the date for sentencing in this case be continued until Monday, November 23, 2009 at 9:00 a.m.

IT IS SO STIPULATED.

October , 2009
DATED

/s/
CHRISTINE WONG
Assistant United States Attorney

October , 2009
DATED

/s/
LOREN STEWART
Assistant Federal Public Defender

For good cause shown and in accordance with Criminal Local Rule 32-2(a), the sentencing now scheduled for Monday, November 16, 2009 is vacated. The matter shall be added to the Court's calendar on Monday, November 23, 2009 at 9:00 a.m. for sentencing.

IT IS SO ORDERED.

October 23, 2009
DATED


HON. MARILYN HALL PATEL
United States District Court Judge